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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9 WILLIAM HEATHCOTE, individually and  
10 on behalf of all others similarly situated  
11 (ALMA SUE CROFT),

12                   Plaintiff,

13                   v.  
14 SPINX GAMES LIMITED, GRANDE  
15 GAMES LIMITED, and BEIJING BOLE  
16 TECHNOLOGY CO., LTD.,

17                   Defendants.

18                   CASE NO. 2:20-CV-01310-RSM  
19                   ORDER DENYING STIPULATED  
20                   MOTION FOR PROTECTIVE ORDER

21                   This matter comes before the Court on the parties' Stipulated Protective Order. Dkt. #56.

22                   The Court finds that the proposed Protective Order does not conform to the requirement  
23 that its "protection from public disclosure and use extends only to the limited information or  
24 items that are entitled to confidential treatment under the applicable legal principles" as stated by  
25 Local Rule 26(c)(2). Under the section entitled Confidential Material, the Court's model  
26 protective order instructs: "[t]he parties must include a list of specific documents such as  
27 'company's customer list' or 'plaintiff's medical records;' do not list broad categories of  
documents such as 'sensitive business material.'" The parties have not followed these  
instructions and instead drafted an order stating in part that confidential material "shall  
include...sensitive communications and information relating to products and services, *including*,

1       *but not limited to*, advertising data, which in the hands of competitors would be valuable;” and  
2       “other non-public business information that is treated confidentially by the producing party in  
3       the ordinary course of business, the disclosure of which may cause the producing party to be  
4       commercially disadvantaged or prejudiced.” Dkt. #56 at 1–2 (emphasis added).

5              Although some proper categories of documents are referenced, the Court finds that the  
6       parties have impermissibly left the door open to labeling a wide variety of documents as  
7       confidential, including categories that can be summed up as “sensitive business material.” The  
8       parties submit no argument to justify this departure from the model protective order’s guidelines.  
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10          Given all of the above, the Motion will be denied.

11             Having reviewed the briefing, along with the remainder of the record, the Court hereby  
12       finds and ORDERS that the parties’ Stipulated Protective Order, Dkt. #56, is DENIED.

13             DATED this 16<sup>th</sup> day of March, 2022.

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17             RICARDO S. MARTINEZ  
18             CHIEF UNITED STATES DISTRICT JUDGE  
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